

**Response Under 37 CFR 1.116**

**Expedited Procedure**

**Examining Group 3754**

Application No. 10/584,656

Paper Dated: January 8, 2010

In Reply to USPTO Correspondence of October 8, 2009

Attorney Docket No. 0388-061892

**AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions, and listings, of claims in the application.

**Listing of Claims**

1. – 6. (Cancelled)

7. (Currently Amended) An eye drop container comprising:

a container body having a liquid storage portion for containing liquid therein; ~~and~~  
an instilling portion for allowing the liquid to flow out in an opened stage;

~~wherein the container body includes an aerating device provided at the bottom thereof of the container body and having a filter element and a check valve for allowing ambient air to flow in from the outside and preventing the liquid from flowing out; and~~

a cap attachable to the container body and including an opening member for opening the instilling portion in an unopened stage and a valve member for allowing the liquid to flow out and preventing ambient air from flowing into the container,

wherein the valve member prevents the ambient air from flowing into the container when the valve member is in tight contact with the opening member from its outside and allows the liquid to flow out when the valve member is away from the opening member due to pressure of the liquid.

8. (Previously Presented) The eye drop container as defined in claim 7, wherein the aerating device has a receiving portion contacting a floor surface and supporting the container body.

9. (Previously Presented) The eye drop container as defined in claim 7, wherein a bottom cap is provided for covering the aerating device.

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10. (Previously Presented) The eye drop container as defined in claim 8, wherein the bottom cap is provided for covering the aerating device.

11. (Previously Presented) The eye drop container as defined in claim 9, wherein the bottom cap is formed integrally with the container body to be separable from the container body.

12. (Previously Presented) The eye drop container as defined in claim 10, wherein the bottom cap is formed integrally with the container body to be separable from the container body.

13. (Previously Presented) The eye drop container as defined in claim 7, wherein the check valve has a duck-bill type construction including a pair of plate-shaped portions contactable with each other at end portions thereof, and is closed when the pair of plate-shaped portions contact each other at the end portions thereof or opened when the pair of plate-shaped portions are moved away from each other at the end portions thereof.

14. (Previously Presented) The eye drop container as defined in claim 8, wherein the check valve has a duck-bill type construction including a pair of plate-shaped portions contactable with each other at end portions thereof, and is closed when the pair of plate-shaped portions contact each other at the end portions thereof or opened when the pair of plate-shaped portions are moved away from each other at the end portions thereof.

15. (Cancelled)

16. (Cancelled)

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17. (Previously Presented) The eye drop container as defined in claim 7, wherein the filter element is designed not for allowing entry of a source of contamination present in the ambient air.

18. (Previously Presented) The eye drop container as defined in claim 8, wherein the filter element is designed not for allowing entry of a source of contamination present in the ambient air.

19. (Previously Presented) The eye drop container as defined in claim 7, wherein the aerating device is designed for allowing entry of the ambient air into the liquid storage portion from the outside.

20. (Previously Presented) The eye drop container as defined in claim 8, wherein the aerating device is designed for allowing entry of the ambient air into the liquid storage portion from the outside.

21. (Cancelled)

22. (Cancelled)

23. (Previously Presented) The eye drop container as defined in claim 7, wherein the liquid is allowed to flow out in association with reduction in volume of the container body under the opened stage.

24. (Previously Presented) The eye drop container as defined in claim 7, wherein the filter element is designed not for allowing entry of a source of contamination

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present in the ambient air into the container, and the aerating device is designed for allowing entry of the ambient air into the liquid storage portion from the outside.

25. (Previously Presented) The eye drop container as defined in claim 24, wherein the liquid is allowed to flow out in association with reduction in volume of the container body under the opened stage.